

## CLAIMS

1. (Currently Amended) A server comprising:
  - a transmit buffer for transmitting a plurality of frames of stored data to a network;
  - a network bandwidth monitor for monitoring a bandwidth of the network preceding each frame transmission; and
  - a transcoder for transcoding a frame into a reduced data content frame if the monitored bandwidth for the corresponding frame transmission is less than a first preset value, where the first preset value is associated with a streaming media play out rate, the transcoding to increase ~~capable of increasing~~ a rate that each reduced data content frame is transmitted from the buffer over the network for the corresponding monitored bandwidth; and
  - a redundancy encoder for redundancy encoding the transcoded frame if the monitored bandwidth is less than a second preset value, where the second preset value is a network available bandwidth value where some frames carrying data are dropped by the network.
2. (Previously Presented) The server of claim 1, wherein the transcoder increases the rate that the frames are transmitted above a receiver play out rate for a period of time after the monitored bandwidth of the network rises above the first preset value.
3. (Canceled)
4. (Currently Amended) The server of claim 1 ~~3~~, wherein the network bandwidth monitor includes
  - a control unit for activating the redundancy encoder when the monitored bandwidth is less than the second preset value.
5. (Original) The server of claim 4, wherein the first preset value equals the second preset value.
6. (Currently Amended) A server for transmitting data to a network, comprising:
  - transmitting means for transmitting the data to the network;
  - monitoring means for monitoring a bandwidth of the network;
  - transcoding means for transcoding the data if the monitored bandwidth is less than a first preset value; and

redundancy encoding means for redundancy encoding the transcoded data prior to transmission if the monitored bandwidth is less than a second preset value, where the first preset value is a streaming media play out rate and the second preset value is a network available bandwidth value where some frames carrying the data are dropped by the network.

7. (Canceled)

8. (Original) The server of claim 6, further comprising:

a control unit for activating the transcoding means when the monitored bandwidth is less than the first preset value and for activating the redundancy encoding means when the monitored bandwidth is less than the second preset value.

9. (Original) The server of claim 8, wherein the first preset value equals the second preset value.

10. (Currently Amended) An article comprising: a storage medium, said storage medium having stored thereon instructions for a server to transmit a portion of streaming media to a network, that, when executed by a computing device, result in:

monitoring a bandwidth of the network;

transcoding the portion if the monitored bandwidth is less than a first preset value, where the first preset value is associated with a streaming media play out rate, the transcoding to increase a rate that streaming media portions are transmitted over the network in relationship to the monitored bandwidth for each portion; and

transmitting the portion to the network; and

redundancy encoding the transcoded portion if the monitored bandwidth is less than a second preset value, where the second preset value corresponds to available network bandwidth where one or more frames carrying data are dropped by the network.

11. (Original) The article of claim 10, further comprising:

activating a transcoder when the monitored bandwidth is less than the first preset value.

12. (Canceled)

13. (Original) The article of claim 10, further comprising:  
activating a redundancy encoder when the monitored bandwidth is less than the second preset value.
14. (Currently Amended) A method for a server to transmit a portion of streaming media to a network comprising:  
monitoring an amount of available bandwidth on the network for the transmission of the portion;  
transcoding a reduced portion of the streaming media into frames when the monitored bandwidth is less than a first preset value causing the frames to be transmitted over the network at an increased rate in relationship to the amount of available bandwidth for each frame; and  
transmitting the portion to the network;  
redundancy encoding the transcoded portion if the monitored bandwidth is less than a second preset value; and  
setting the first preset value at a media stream play out rate and setting the second preset value at an available network bandwidth value where some frames are dropped by the network.
15. (Previously Presented) The method of claim 14 including:  
maintaining the transcoding for a selected period of time after the monitored available bandwidth rises above the first preset value causing the frames to be transmitted above a streaming media play out rate; and  
discontinuing the transcoding after the selected period of time so that the frames are transmitted at the media play out rate.
16. (Canceled)
17. (Canceled)
18. (Currently Amended) A system for a server to transmit streaming media to a network comprising:  
means for transmitting the streaming media comprising a plurality of portions to the network;

means for monitoring a bandwidth of the network preceding the transmission of each portion; ~~and~~

means for transcoding a portion prior to transmitting responsive to when the monitored bandwidth for the corresponding transmission of the portion is less than a first preset value, where the first preset value is associated with a streaming media play out rate;  
and

means for redundancy encoding the transcoded portion if the monitored bandwidth is less than a second preset value, where the second preset value corresponds to a network bandwidth level where one or more frames carrying data are dropped by the network.

19. (Currently Amended) The system of claim 18, further comprising:

means for activating the means for transcoding ~~a transcoder~~ when the monitored bandwidth is less than a the first preset value.

20. (Canceled)

21. (Currently Amended) The system of claim 18 ~~20~~, further comprising:

means for activating a the means for redundancy encoding ~~encoder~~ when the monitored bandwidth is less than the second preset value.

22. (New) The server of claim 1 where the redundancy encoder retransmits the transcoded frame to the network with at least another frame in the frame buffer.

23. (New) The server of claim 1 where the transmit buffer sends the frames to the network at a fixed frame rate.

24. (New) The server of claim 6 including means for retransmitting the transcoded data to the network with one or more data frames.

25. (New) The article of claim 10 including retransmitting the transcoded portion to the network with at least another portion of the streaming media.

26. (New) The method of claim 14 including retransmitting the transcoded portion to the network with at least another portion of the streaming media.

27. (New) The system of claim 18 including means for retransmitting the transcoded portion to the network with at least another portion of the streaming media.